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**From:** Lynn, Tricia [lynn.tricia@epa.gov]  
**Sent:** 11/15/2018 9:23:40 PM  
**To:** AO OPA OMR CLIPS [AO\_OPA\_OMR\_CLIPS@epa.gov]  
**Subject:** Compilation 11/15/2018

**Air**

ROADSHOW: EPA talks stricter heavy-truck emissions with its Cleaner Truck Initiative

Colorado Public Radio: Public, Oil And Gas Industry Speak Out At EPA Public Hearing On Rolling Back Methane Rules

9 News: Public comment open on EPA's proposal to relax oil and gas regulations

**Biosolids**

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**GenX**

AP: Draft EPA study finds newer nonstick compound may be harmful

WECT 6 News: EPA releases first-ever toxicity assessments for GenX, related chemicals

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WLOX: EPA Superfund clean-up underway in Jackson County

ROADSHOW: EPA loosening hazmat regulations to ease Takata airbag inflator disposal

**AP: Draft EPA study finds newer nonstick compound may be harmful**

<https://abcnews.go.com/Health/wireStory/epa-flags-fears-nonstick-coatings-59201899>

By Ellen Knickmeyer And Jonathan Drew, — Nov 14, 2018, 6:31 PM ET

Long-term exposure to a chemical compound currently used for making nonstick coatings appears to be dangerous, even in minute amounts, according to draft findings released Wednesday by the Environmental Protection Agency.

It was the first time EPA weighed in on newer, supposedly safer versions of an increasingly scrutinized family of stick- and stain-resistant compounds. Older versions of the compound are turning up in dangerous levels in drinking water supplies around the country.

Drinking water contamination has been the main concern cited by public health officials and regulators in connection with the compounds, perfluoroalkyl and polyfluoroalkyl substances, or PFAS.

The EPA findings said animal studies show the so-called GenX nonstick compound has the potential of affecting the kidneys, blood, immune system, liver and developing fetuses following oral exposure. "The data are suggestive of cancer," the draft report said.

"Toxicity is only one piece of information that public officials consider when determining whether there is a risk to public health," the report said. "Other factors, such as exposure, must also be considered."

Lee Ferguson, an environmental analytical chemist and associate professor at Duke University, said those findings would mean "the compounds that we're replacing toxic compounds for are also toxic."

Concern over GenX, used in Teflon and other materials, has been strongest in North Carolina. Authorities have found it in water supplies serving hundreds of thousands of people downstream of a Chemours Co. plant that makes it outside Fayetteville.

Wednesday's draft findings suggest chronic exposure to GenX is dangerous at levels as low as a few hundred parts per trillion, Ferguson said. Two older versions from the same family of compounds — taken out of manufacturing in the United States — have been found to be dangerous at less than a hundred parts per trillion.

PFAS are used in nonstick coatings on things ranging from pans to fast-food wrappers, as well as firefighting foam. Federal toxicology officials determined recently that the two phased-out versions of the compound are dangerous at levels far lower than previously known. An unidentified White House official in an email released through open-records laws called that finding a "potential public relations nightmare" earlier this year.

Chemours media representatives didn't immediately respond to a phone call and email seeking comment on the EPA report.

U.S. Rep. Richard Hudson, a Republican whose district stretches into the Fayetteville area, said he looks forward to the completion of a pending EPA management plan that the agency says will help guide state and local governments.

"I encourage swift action to help the state better understand what we need to do going forward to keep our water clean and keep our citizens safe," he said in a news release.

In one of the North Carolina areas dealing with GenX contamination, New Hanover County public health director Phillip Tarte said he was reviewing the report, calling it an important step.

There are no federal health standards for GenX. The EPA classifies it as an "emerging contaminant" needing research.

The chemical is related to other fluorinated chemicals including PFOA, which has been blamed for causing health problems. In February 2017, Chemours and DuPont — which spun off Chemours two years ago — agreed to pay nearly \$671 million to settle thousands of lawsuits related to the release of PFOA from a Parkersburg, West Virginia, plant more than a decade ago.

The EPA held a series of hearings on the contaminants earlier in the year. State and local officials and others used the hearings to urge the agency to take the lead in regulating the compounds.

Acting EPA Administrator Andrew Wheeler said in a statement Wednesday that the "EPA is delivering on its commitment to provide our state and local partners the tools and information they need to address PFAS."

The EPA will now seek 60 days of public comment on its findings.

**AP via WECT 6 News: EPA releases first-ever toxicity assessments for GenX, related chemicals**

<http://www.wect.com/2018/11/15/epa-flags-new-fears-about-nonstick-coatings/>

November 14, 2018 at 7:08 PM EST - Updated November 15 at 11:01 AM

WASHINGTON (AP) - The Environmental Protection Agency says long-term exposure to compounds used in nonstick coatings appears to be dangerous even in minute amounts.

The finding was for newer, supposedly safer versions of nonstick compounds known as PFAS. Older versions are turning up in dangerous levels in drinking water supplies around the country.

After months of anticipation, the EPA has released draft toxicity assessments for GenX and perfluorobutane sulfonic acid (PFBS). In other words, the agency has given its best assessment of how much of the chemicals are acceptable before humans start to experience negative health effects.

"Overall, the available oral toxicity studies show that the liver is sensitive to GenX chemicals, and the kidney and thyroid are sensitive to PFBS," the EPA writes in a fact sheet.

Authorities have found GenX in water supplies serving hundreds of thousands downstream of a Chemours Co. plant outside Fayetteville.

State and local government officials have urged the EPA to do more to regulate PFAS. Acting EPA Administrator Andrew Wheeler says Wednesday's findings show the agency is giving state and local partners the "tools and information they need to address PFAS."

The draft federal guideline for exposure to GenX of 80 parts per trillion is more strict than the North Carolina Department of Health and Human Services health goal of 140 ppt. There is no word on whether the state will change its GenX guideline.

"EPA will accept public comments on the GenX chemicals and PFBS draft toxicity assessments for 60 days after they are published in the Federal Register. EPA will then consider the public comments, revise the documents, and consider the need for additional review, as appropriate," according to a press release.

**Environmental Working Group: EPA: GenX Nearly as Toxic as Notorious Non-Stick Chemicals It Replaced**

<https://www.ewg.org/release/epa-genx-nearly-toxic-notorious-non-stick-chemicals-it-replaced>

Wednesday, November 14, 2018

WASHINGTON – GenX, introduced a decade ago as a "safer" alternative for the notorious non-stick chemicals PFOA and PFOS, is nearly as toxic to people as what it replaced, says an Environmental Protection Agency study released today.

EPA published a draft toxicity review for GenX and a related compound called PFBS, both part of the PFAS family of chemicals. Environmental Working Group's analysis of EPA's assessment shows that very tiny doses of GenX and PFBS could present serious health risks, including harm to prenatal development, the immune system, liver, kidney or thyroid.

"It is alarming that, 12 years after DuPont, 3M and other companies, under pressure from EPA, began phasing out PFOA and PFOS, we find that replacements like GenX are nearly as hazardous to human health," said David Andrews, Ph.D., senior scientist at Environmental Working Group.

“EPA scientists have given us valuable new information here, but the study’s real significance is to show that the entire chemical regulatory system is broken. EPA has allowed hundreds of similar chemicals on the market without safety testing, and it’s urgent that the agency evaluate the risk Americans face from all of these chemicals combined.”

GenX is a successor to PFOA, formerly used by DuPont to make Teflon. PFOA has been linked to cancer in people and to the reduced effectiveness of childhood vaccines and other serious health problems at even the smallest doses. GenX’s chemical structure is very similar to PFOA’s, but it was not adequately tested for safety before being put on the market, in 2009. DuPont has provided test results to the EPA showing that GenX caused cancer in lab animals.

GenX is used to produce non-stick coatings on food wrappers, outdoor clothing and many other consumer goods. A 2017 report by EWG and other groups found the GenX family of chemicals in food wrapping samples from 27 different fast food chains.

“The system has it backwards: Instead of putting the burden of proof on EPA to show that chemicals like GenX are safe, the chemical industry should be responsible for testing its products for safety before they’re put on the market,” said Andrews. “This broken system has enabled DuPont and other companies to contaminate nearly everyone on Earth, including babies in the womb, with these chemicals.”

#### DuPont’s Deception About Health Risks from Non-Stick Chemicals

In 2001, attorney Robert Bilott sued DuPont on behalf of 50,000 people whose drinking water had been contaminated by PFOA, the carcinogenic compound used to make Teflon at the chemical company’s plant in Parkersburg, W. Va. EWG published a series of investigative reports based on secret documents uncovered in the lawsuit, revealing that DuPont knew about PFOA’s dangers for decades but didn’t tell regulators or the public. EWG filed a complaint with the EPA, which led to a record fine against DuPont. Our research also found that the entire class of non-stick, waterproof chemicals had polluted people, animals and the environment in the most remote corners of the world.

Although PFOA and some related PFAS chemicals have been phased out, they still contaminate the drinking water of an estimated 15 million Americans. The saga of PFOA pollution in Parkersburg and beyond is told in “The Devil We Know,” a documentary available on streaming services.

**Colorado Public Radio: Public, Oil And Gas Industry Speak Out At EPA Public Hearing On Rolling Back Methane Rules**  
<https://www.cpr.org/news/story/public-and-industry-reps-alike-speak-out-at-epa-public-hearing-on-methane-rules>  
By CPR News Staff And The Associated Press Nov 14, 2018

Dozens of people who live near oil and gas wells pleaded with the Trump administration Wednesday not to roll back rules for methane pollution, while industry representatives said the changes should go further.

The Environmental Protection Agency held a hearing in Denver on the administration's plans to loosen regulations imposed by the Obama administration in 2016. The rules require energy companies to step up the detection and elimination of methane leaks at well sites and other oil and gas facilities.

Methane is the primary component of natural gas. It is also a greenhouse gas and, when it leaks from oil equipment, becomes a major contributor to climate change.

Opponents argued Wednesday that changing the rules would threaten people's health, worsen climate change and squander natural gas by allowing leaks to go undetected. They also argued it would cost taxpayers, investors and mineral owners money from the lost sale of the gas.

Many accused the EPA of abetting polluters, looking out for the wealthy and failing its legal duty to protect public health and the environment.

"Polluters do not need your protection. I do," said 13-year-old Alexis Elliott, who said emissions from oil and gas wells near her school are causing her nosebleeds, rashes, bruising and other health problems.

"The EPA is the Environmental Protection Agency, not the Energy Protection Agency," Susanne Beug told agency officials.

Matthew Todd of the American Petroleum Institute said the industry is already reducing methane emissions even while natural gas production is increasing. He said the EPA should do more to allow technological innovation and streamline the rules.

When it unveiled the new, looser rules in September, the EPA said they would save energy companies up to \$75 million a year. But the agency conceded that the rules "may also degrade air quality and adversely affect health and welfare."

It said the new rules would allow an additional 380,000 U.S. tons of methane and 100,000 U.S. tons of volatile organic compounds into the atmosphere from 2019 to 2025. Volatile organic compounds an ingredient of ozone or smog.

The EPA wants to reduce the frequency of inspections for methane leaks and give energy companies more time to repair leaks after they are detected. The changes would also allow an energy company's in-house engineers to certify some aspects of methane control instead of requiring an outside professional engineer to do so.

The Trump administration argues those programs are best left to the states. And indeed Colorado has one of the most aggressive detection and leak repair programs in the country for oil and gas. The policy covers both state and federal lands. But local government officials in southwestern Colorado argue they need protections against methane released from federal wells that can pollute the air in nearby New Mexico.

The EPA rules apply to oil and gas drilling on private land and some public land.

The administration is also relaxing a separate set of methane rules imposed by the Interior Department on oil and gas drilling on U.S. public lands and tribal lands.

Loosening the methane rules is part of a broad effort by the Trump administration to roll back environmental protections, particularly ones that apply to coal, oil and gas.

The hearing in Denver is the only one the EPA has scheduled. Some people urged the agency to hold more sessions in other cities.

## **9 News: Public comment open on EPA's proposal to relax oil and gas regulations**

<https://www.9news.com/article/news/local/next/public-comment-open-on-epas-proposal-to-relax-oil-and-gas-regulations/73-614690802>

Author: Anusha Roy - Updated: 9:45 PM MST November 14, 2018

More than a hundred people showed up to face the Environmental Protection Agency in Denver at Union Station on Wednesday — the only day the public could speak in person to the EPA about the agency's proposal to relax rules for how often oil and gas companies need to check for leaking gas.

The EPA said the proposal would change rules set in 2016 during President Barack Obama's administration.

"The proposal is to keep leak detection in place," said John Millett with the EPA. "But only require it less frequently. So moving from a more frequent monitoring to an annual basis for certain system and certain sizes."

The proposal says that well sites that produce 15 barrels of oil and natural gas or less would be required to monitor for leaks once every other year. Sites that produce more than that would be required to check annually.

Throughout the day Wednesday, the EPA heard concerns ranging from health to the environment, including Maria Guerrero, a mother of two from Aurora, who came to testify.

"Instead of progressing we are going to be set back," she said.

Her concerns were mirrored by Amelia Meyers, a climate and clean energy advocate with Conservation Colorado.

"Some of those compounds are really harmful to our health," Meyers said. "Other pollutants are making the brown cloud worse."

Also in the EPA's proposal is the estimate that there is the potential for an additional 480,000 short tons of methane and 120,000 tons of volatile organic compounds to be released over a six-year period. The EPA said methane can create pollution when it reacts with the atmosphere.

Volatile organic compounds can be harmful for some people's health at certain levels, according to Millett. Since this was the only public hearing in the country, people came in from Ohio, Pennsylvania and drove from New Mexico.

Millett said the EPA started considering the changes after being petitioned by oil and gas companies. The agency released their own press release saying the potential changes would align with President Donald Trump's energy agenda.

The idea is supported by Western Energy Alliance, a nonprofit trade association representing more than 300 companies in the western U.S.

Western Energy Alliance's president, Kathleen Sgamma, said any additional methane or volatile organic compounds released would be more than evened out because the oil and gas industry is also focusing on reducing greenhouse gas emissions.

She pointed towards data from the federal Energy Information Administration that tracked CO2 emission reductions from 2006 to 2017 as some companies shifted from coal to natural gas. The EPA confirmed Colorado has more stringent regulations when it comes to checking for gas leaks with or without any further changes.

Millett said those standards would continue even if the federal rules changed, so regulations for local companies wouldn't change drastically. Sgamma said these changes could actually help companies be more efficient.

"It does mean Colorado producers don't have to do redundant inspections and not having to keep two books," Sgamma said.

She also said regardless of any rule changes, their commitment to reduce methane gas emissions will stand. Meyers with Conservation Colorado argues "pollution doesn't know any physical boundaries. We need to make sure all of the air in the southwest is clean."

The public comment period continues through December 17. People can both read up on the proposal and submit their opinions online at this link.

#### **US News & World Report: EPA: Tonawanda Coke Left Flammable, Hazardous Material**

<https://www.usnews.com/news/best-states/new-york/articles/2018-11-15/epa-tonawanda-coke-left-flammable-hazardous-materials>

Nov. 15, 2018, at 9:19 a.m.

TONAWANDA, N.Y. (AP) — The U.S. Environmental Protection Agency says the now-closed Tonawanda Coke plant in western New York left behind hazardous and flammable materials.

WKBW-TV in Buffalo reports the agency says the plant has potentially explosive substances stored onsite, hazardous substances discharged into the soil and improperly stored acids and solvents.

The 100-year-old plant closed Oct. 14 after it violated its probation in connection to a 2013 pollution conviction. It employed about 100 people.

The plant has filed for bankruptcy, and town officials say a potential buyer would assume 100 percent of the liability for any cleanup of the property.

The EPA says it will be at the site for several months collecting samples.

#### **WLOX: EPA Superfund clean-up underway in Jackson County**

<http://www.wlox.com/2018/11/14/epa-superfund-clean-up-underway-jackson-county/>

By Doug Walker | November 14, 2018 at 4:44 PM CST - Updated November 14 at 7:00 PM

PASCAGOULA, MS (WLOX) -When Mississippi Phosphates in Pascagoula declared bankruptcy and shut down three years ago, the company left behind a big mess. A 200-foot tall stack of Gypsum covering close to 300 acres along Industrial Road. As of Wednesday, cleaning up that mess is in the hands of the EPA under a superfund declaration.

Heavy equipment stays busy every working day. The first step is getting rid of all the lime in the stack.

"Right now, we're digging in three different places," said Craig Zeller, EPA project manager. "Kind of the south side, the central and middle of it and the north side as well. We've got a number of articulated dump trucks taking this sloppy lime out to the northeast phase where it will be processed."

Another by-product left behind is sulfur that has leached into the water surrounding the site, and potentially into nearby waterways, like the Grand Bay Estuary.

'Well, it's really a pH issue. Sulfur makes sulfuric acid, of course, so that's what's causing our low pH," Zeller said.

Another major concern is heavy rain.

"One inch of rainfall that falls on this stack generates about 9 million gallons of water that was clean that is now contaminated with low pH and high levels of nutrients. We then have to capture that, hold that water, treat that water to meet our standards," he said.

Still, the clean-up task is daunting, according to Zeller.

"We have about 500 million gallons of water on site with a low pH. All that water is kind of in the way, so while it is a pretty straight forward landfill closure, there's a lot of moving parts to this thing," he said.

Once this huge gypsum stack is made safe by the EPA, it's got to be covered with something, but with what? Let's just say it something similar to what you'd find on a football field, something like AstroTurf, according to Zeller.

"On top of that will be a fabric. It looks kind of like a carpet that will be backfilled with sand to act as ballast material to hold that down," Zeller said.

Zeller added this clean-up will take time and money.

"Construction season is 2019, 2020 and 2021, over about three phases. Right now, costs are estimated to be around \$72 million."

About 40 people have been hired to work on the clean-up at the site. Almost all of them are from the local area.

#### **ROADSHOW: EPA talks stricter heavy-truck emissions with its Cleaner Truck Initiative**

<https://www.cnet.com/roadshow/news/epa-wheeler-cleaner-truck-initiative-proposal/>

By Kyle Hyatt, November 14, 2018 5:33 PM PST

The Environmental Protection Agency may have been operating in a more low-key manner since acting administrator Andrew Wheeler took over, but the agency made news this week with plans to rewrite its policies on heavy-duty truck emissions with something called the Cleaner Truck Initiative.

According to a report by the Los Angeles Times Tuesday, the EPA has offered few specifics on its plans but in its statement promised to enact rules that will reduce oxides of nitrogen emissions, which sounds good. It added though that it would also be removing regulations that the industry finds to be "costly and burdensome," which is enough to give us pause about the effects of this rewrite.

"This initiative will help modernize heavy-duty truck engines, improving their efficiency and providing cleaner air for all Americans," Wheeler said in a statement. "We are under no regulatory or court-ordered requirements to launch this initiative. We are doing it because it's good for the environment."

This administration has consistently moved to weaken environmental protections for the last two years. Still, fingers crossed! In any case, it will be a while before we get to see precisely what the Cleaner Truck Initiative has in store for the trucking industry since it's set to be revealed early in 2020.

#### **Bloomberg: EPA Watchdog Questions Safety of Sewage Used as Fertilizer**

<https://www.bloomberg.com/news/articles/2018-11-15/safety-of-sewage-used-as-fertilizer-questioned-by-epa-watchdog>

By Jennifer A Dlouhy November 15, 2018, 11:10 AM EST

The Environmental Protection Agency doesn't know if the treated sewage sludge that farmers use as fertilizer is safe, according to a report from its internal watchdog.

The treated sewage known as biosolids is chock full of nutrients, which is what makes it so good at enriching soil. But it also can be chock full of pollutants, from heavy metals such as mercury and arsenic to pharmaceutical compounds, flame retardants and disease-carrying organisms.

And the EPA doesn't know enough about hundreds of pollutants found in the material, the agency's inspector general said in a report Thursday.

The EPA's controls over using biosolids as fertilizer are "incomplete" or have "weaknesses" and "may not have fully protected human health and the environment," said Jill Trynosky, a project manager with the inspector general's office.



"The EPA is unable to state whether, and at what level, the pollutants found in biosolids pose a risk to human health or the environment," Trynosky said in an agency podcast describing the investigation.

The biosolids at issue are a byproduct of wastewater treatment -- essentially the residue that is left over after wastewater is cleaned at facilities nationwide. That sewage sludge can be sent to incinerators or landfills -- or it can go through additional treatment to remove pollutants and to make it less attractive to vermin, effectively transforming it into biosolids that can be applied to farmland as fertilizer.

Nearly half of the biosolids generated in the U.S. ultimately are applied to the land, according to the EPA.

The agency oversees the practice, with requirements to test for nine specific heavy metals, including arsenic and mercury, research additional pollutants that may need regulation and pare pathogens from the material.

Although the EPA has consistently monitored biosolids for those nine regulated substances, the agency lacks the data or tools needed to determine the safety of hundreds of other pollutants found in the material, the inspector general found. And while the EPA is reviewing additional pollutants, the agency hasn't always completed those assessments in a timely manner, the watchdog said.

According to the probe, the risks of at least 352 pollutants found in biosolids haven't been fully assessed by the EPA. And at least 61 of them have already been deemed hazardous by another federal agency or program.

In a formal response to the inspector general's office, EPA officials stressed that "the occurrence of pollutants in biosolids does not necessarily mean that those pollutants pose a risk to public health and the environment."

EPA Assistant Administrator David Ross said the agency agrees "there is need to address the uncertainty of potential risk posed by pollutants that are found in biosolids" and that is a top priority for the agency. He also acknowledged it "can be challenging to communicate information about public health and environmental risk, particularly when risks have not been fully evaluated."

But it is wrong to characterize those uncertainties "as known risks or threats," Ross said.

There are limits on the agricultural use of biosolids. Although highly treated biosolids don't require special handling, the government requires landowners to restrict public access and limit livestock grazing after applying less-treated biosolids that still contain some pathogens.

#### **ROADSHOW: EPA loosening hazmat regulations to ease Takata airbag inflator disposal**

<https://www.cnet.com/roadshow/news/epa-hazmat-regulations-takata-airbag-inflator-disposal/>

By Andrew Krok, November 15, 2018 9:50 AM PST

Automakers are nowhere near done replacing every faulty Takata airbag inflator out there, but in order to move the process along, the EPA wants to ease hazardous waste regulations.

The EPA announced this week that it has implemented an interim final rule changing how dealerships, salvage vendors and other businesses in the industry handle Takata airbag inflators and other non-Takata airbag components. The goal of the interim final rule is to make it easier for these entities to dispose of the parts in question, which will hopefully improve the rate at which these defective parts are replaced.

"Today's action will help auto dealers and scrap recyclers across the country protect public health and properly dispose of these defective airbags inflators," said Andrew Wheeler, acting administrator of the EPA, in a statement. "By streamlining these requirements, we can help get these dangerous airbags out of vehicles quickly and safely while reducing the regulatory burden on small businesses."

No, this doesn't mean that dealers will start throwing chemical-laden airbag parts into the garbage -- in fact, that's exactly what this rule is trying to avoid. According to the prepublication version of the interim final rule, instead of having these businesses attempt to comply with the hazardous-waste portions of the Resource Conservation and Recovery Act, entities can instead send their parts to an RCRA-designated facility, which will handle the regulatory burdens involved in the safe disposal of these components.

"EPA has learned that imposing full generator requirements on automobile dealers and salvage vendors who lack the expertise and experience in managing hazardous waste would result in the slowdown, rather than the necessary acceleration, of the recall effort, resulting in even greater harm to human health and the environment," the interim final rule states.

The EPA's rule points out that Takata's faulty airbag inflators are still installed in many vehicles across the country, and they continue to claim lives both in the US and abroad. Thus, it's of extreme importance that dealers do everything they can to swap in replacement parts quickly, but without cutting corners -- dumping hazardous parts into the municipal waste stream just puts the problem somewhere else.

So, why didn't this happen sooner? According to Reuters, dealers and businesses were sending the bunk Takata parts to a Takata warehouse for long-term storage until recently, when they were permitted to send the parts for disposal instead. That's why the EPA jumped in just now.

Takata got into this mess because it wanted to save a few bucks. In doing so, it removed a key component from its airbag inflators. Lacking any sort of desiccant, the airbag inflators could fail after being exposed to high humidity and temperatures -- if that happened, the inflator would throw shrapnel into the cabin instead of inflating the airbag as it should.

More than a dozen individuals have died in the US as a result of Takata's faulty components. The company filed for bankruptcy and sold its assets to the supplier Key Safety Systems in April. Approximately 70 million potentially faulty Takata inflators were installed in vehicles in the US, and the latest data suggests that some 15.8 million bad inflators are still installed in US vehicles.

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